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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DR. RATH HEALTH PROGRAMS USA
B.V., a Dutch corporation; DR. MATTHIAS
RATH, an individual, citizen of Germany

Plaintiffs,

vs.

TOTAL HEALTH DISCOUNT, INC., a New
York corporation,

Defendant.

) Case No: C 06-0918 JF

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) ~~[PROPOSED]~~ ORDER RE VOLUNTARY
) DISMISSAL WITHOUT PREJUDICE OF
) ACTION AGAINST TOTAL HEALTH
) DISCOUNT, INC.

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Plaintiffs Dr. Rath Health Programs USA B.V. and Dr. Matthias Rath, by their
undersigned counsel of record, hereby voluntarily dismiss the entire Complaint and all of its

Date: June 6, 2006

IT IS SO ORDERED.


Judge, United States District Court for the
Northern District of California
Jeremy Fogel

PROOF OF SERVICE

I, Christina K. Alpi, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Francisco, California. I am over the age of 18 years and not a party to the within action. My business address is 98 Battery Street, Suite 601, San Francisco, California 94111.

On June 6, 2006, I served a copy of the following document(s):

[PROPOSED] ORDER RE VOLUNTARY DISMISSAL WITHOUT PREJUDICE
OF ACTION AGAINST TOTAL HEALTH DISCOUNT, INC.

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

Marty Meyer, President
Total Health Discount, Inc.
120 Broadhollow Road, Suite 1
Farmingdale, NY 11735



(BY U.S. MAIL) I placed the sealed envelope(s) addressed as shown above for collection and shipping by following the ordinary business practices of San Francisco, California. I am readily familiar with our law firm's practice for collecting and processing of correspondence for shipping with the U.S. Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited in a U.S. Postal Service pick-up box the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that this declaration was executed on June 6, 2006, at San Francisco, California.

/s/ Christina K. Alpi
Christina K. Alpi